



City of Chattanooga

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City Attorney

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Special Counsel

January 14, 2005

VIA U.S. MAIL & FACSIMILE: (615) 741-5015

Chairman Pat Miller
c/o Ms. Sharla Dillon, Docket Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

***Re: Petition of Tennessee American Water Company to Change and Increase Certain Rates
and Charges So As to Permit It to Earn a Fair and Adequate Rate of Return on Its
Property Used and Useful in Furnishing Water Service to Its Customers,
Docket No. 04-00288***

Dear Chairman Miller:

On behalf of the City of Chattanooga, we respectfully submit a motion in support of conducting the hearing in the above-referenced matter in Chattanooga on the scheduled hearing dates, in accordance with the enclosed original copy.

As always, thank you for your assistance in this matter. Please contact our office if you have any questions.

Sincerely,

MICHAEL A. MCMAHAN

MAM/spb
Enclosure

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

**PETITION OF TENNESSEE-AMERICAN
WATER COMPANY TO CHANGE AND
INCREASE CERTAIN RATES AND CHARGES
SO AS TO PERMIT IT TO EARN A FAIR AND
ADEQUATE RATE OF RETURN ON ITS
PROPERTY USED AND USEFUL IN
FURNISHING WATER SERVICES TO ITS
CUSTOMERS.**

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DOCKET NO. 04-00288

**CITY OF CHATTANOOGA'S REPOSE IN SUPPORT OF CHATTANOOGA
MANUFACTURERS ASSOCIATION'S REQUEST FOR CONTESTED CASE
HEARING TO BE CONDUCTED IN CHATTANOOGA, TENNESSEE**

Comes now the City Attorney of Chattanooga, by and through counsel and respectfully submits its response in support of the request by the Chattanooga Manufacturers Association ("CMA") to hold the hearing on the merits in this matter in Chattanooga, Tennessee. The City adopts and incorporates by reference the positions of both the CMA and the Consumer Advocate.

Additionally, the City would note that the Tennessee Regulatory Authority ("TRA") has not held a hearing in Chattanooga in recent memory. It is likely that such a hearing would engender media coverage that would afford local citizens a unique opportunity to become more familiar with the TRA.

Respectfully submitted,

**CITY OF CHATTANOOGA, TENNESSEE
RANDALL L. NELSON, CITY ATTORNEY**

BY: 

MICHAEL A. McMAHAN (BPR #810)

Special Counsel

801 Broad Street, Suite 400

Chattanooga, TN 37402

(423) 757-5338

(423) 756-0737 (facsimile)

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the above and foregoing pleading upon counsel of record by facsimile or depositing same in the United States mail with adequate postage affixed thereto, addressed as follows:

R. Dale Grimes
T.G. Pappas
BASS, BERRY & SIMS, plc
AmSouth Center
315 Deaderick Street, Suite 2700
Nashville, TN 37238-3001

Timothy C. Phillips, Esq.
Assistant Attorney General
Office of the Attorney General
Consumer Advocate & Protection Division
P.O. Box 20207
Nashville, TN 37202

Henry M. Walker, Esq.
Boult, Cummings, Conners & Berry, PLC
414 Union Street, Suite 1600
Nashville, TN 37219

David C. Higney, Esq.
Grant, Konvalinka & Harrison, P.C.
633 Chestnut Street, 9th Floor
Chattanooga, TN 37450

This the 14th day of January, 2005.


MICHAEL A. McMAHAN

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CITY OF CHATTANOOGA, TENNESSEE**

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FACSIMILE COVER SHEET

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TO: Sharla Dillon, Docket Manager
Tennessee Regulatory Authority

FAX NO: (615) 741-5015:

FROM: Michael A. McMahan/ Shannon Payne-Bielcik

MESSAGE: Sharla, enclosed is a motion that needs to be filed today. I will FedEx the original copy to you. If this is a problem, please contact me at the number listed above. And as always, thanks for all your help.

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